

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : AGGER, Nicolai
SERIAL NO : 10/532,698
FILED : April 26, 2005
TITLE : COMPOSITION FOR THE TREATMENT OF GASTROINTESTINAL
DISORDERS

Grp./A.U. : 1655
Examiner : CLARK, Amy Lynn
Conf. No. : 8742
Docket No. : P07181US00

RULE 132 DECLARATION OF NICOLAI AGGER, DVM

I, Nicolai Agger, am the named inventor of the above identified case.

1. Attached to this Declaration is the Abstract of a presentation I made at the Annual American Association of Bovine Practitioners Congress in 2003. The article demonstrates synergistic affect of Psyllium and L-glutamine for cell growth, as does my pending application and, in particular, as demonstrated in the example in the pending application, and in paragraph 61 of the published Specification.

2. As far as I am aware, none of the prior art cited by the Examiner nor any other prior art describes the synergistic effect of Psyllium and amino acids (and L-glutamine in particular) on cell growth. This has been demonstrated and confirmed in laboratory studies made by independent laboratories in Amsterdam, The Netherlands.

3. For the Examiner's convenience, the attached figure to this Declaration shows the synergistic affect on cell growth. The yellow and green lines are for isotonic rehydration solutions, i.e., WHO product and Deliver, "old formulation" that is with no amino acid. The purple line is for WHO product with addition of Glutamine. The red line (with triangles as

markers) is Deliver Old formulation (which includes Psyllium) and with the addition of Glutamine. This extra effect on cell growth (as presented in an increased LDH activity) is due to the synergistic affect of the combination of Psyllium and Glutamine in the product. It cannot be anything else! The affect of Psyllium is demonstrated very well, where Psyllium was added to fetal calf serum, i.e., positive control. See blue line and compare it to red line with square markers. Fetal calf serum contains various amino acids include Glutamine.

The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Date

April 22nd, 2008

Nicola Agger
NICOLAI AGGER

Cell proliferation

